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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,546	07/17/2003	Bryan N. DeMatteo	I/1	1328

7590 05/24/2006

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EXAMINER

BEAULIEU, YONEL

ART UNIT	PAPER NUMBER
3661	

DATE MAILED: 05/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/621,546	DEMATTEO, BRYAN N.	
	Examiner	Art Unit	
	Yonel Beaulieu	3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/16/06 has been entered.

Response to Arguments

Applicant's arguments filed 16 March 2006 have been fully considered but they are not persuasive.

Overall, Applicant argues in the remarks that U.S. Patent No. 4,787,040 to Ames fails to teach an arrangement which is configured, by the vehicle's operator, to display vehicle characteristics – and that the reconfiguration is solely by the manufacturer. The Examiner respectfully disagrees.

Ames does teach the claimed subject matter and the Examiner maintains the arrangement in Ames is not simply by the manufacturer as it allows not just interaction with the operator but also reconfiguration by the operator. The different profiles in Ames are directed toward controlling (or reconfiguring of) characteristics, including but not limited to, speedometer, engine functions, odometer, HVAC system, entertainment

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features of the vehicle, etc.. Support is found all over Ames, in particular, the abstract, col. 2, lines 49 – 53, col. 5, lines 37 – 58, col. 6, lines 41 – 46 and col. 19, lines 35 – 39 at least.

In view of the above, it is believed Ames teaches the subject matter, as claimed, and that the rejection is proper and hereby maintained.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 6, 8, 10 – 15, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ames et al. (US 4,787,040).

Regarding claims 1, 10, 19, and 20, Ames et al. teaches a reconfigurable display arrangement of a vehicle, the vehicle comprising a cabin to receive at least one passenger (see fig. 2), the arrangement (see at least figs. 1/20) comprising means (12) receiving configuration input from at least one user (col. 5, lines 55 – 58 at least); means (330) coupled to the arrangement to process the configuration information (col. 20, lines 45 – 53 at least); means (34) electrically and communicatively coupled to the processing arrangement (see fig. 20; col. 6, lines 25 – 28 at least); wherein the

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arrangement displays at least one characteristic of the vehicle in accordance with profile information assigned to a selected profile of a plurality of profiles selectable by a user (col. 5, lines 26 – 62).

Regarding claim 2, Ames et al. further teaches the arrangement including a microprocessor (50 or 80C88 – 82C55 – see table in col. 4), a memory arrangement (52, 56, 61, and 62) to store a software to be executed on the microprocessor all connected to the display driver (34; overall, note col. 7, line 26 – col. 8, line 15 at least).

Regarding claim 3, Ames et al. further teaches reception of electronic signals from associated vehicle sensors (abstract; fig. 3; col. 6, lines 9 – 25 at least).

Regarding claims 4 – 6 and 12, Ames et al.'s electronic signals include *at least one* signal characterizing a temperature of ambient air inside the vehicle's driving compartment (note climate control block 11; note col. 5, lines 26 – 62 at least); the profile being automatically selected (col. 22, lines 50 – 56 and col. 24, lines 19 – 25).

Regarding claim 8, Ames et al. further teaches profile identification arrangement situated in the vehicle (note table in col. 4; col.14, lines 16 – 48; col. 22, lines 62 – 68; col. 24, lines 31 – 39 at least).

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Regarding claims 11, 13 and 14, Ames et al. further teaches permitting profiles editing or varying a display format (addition, deletion and changes; note abstract and EEPROM 51a in fig. 6A at least; col. 7, lines 1 – 10).

Regarding claim 15, Ames et al. further teaches displaying one characteristic and operating state including an occurrence of an event (col. 21, lines 44 – 50 at least).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 9, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ames et al. (US 4,787,040).

As to claim 7, Ames et al. is not explicit on the transponder. However, Ames does teach polling which suggests periodically determining the status of an event/device. It would have been obvious to one of ordinary skill in the art at the time of the invention what is taught by Ames is at least fully functionally equivalent to the claimed invention because the same “detection” end result is achieved.

As to claim 8, Ames fail to explicitly recite the inclusion of a weight sensor in the vehicle's seat. However, including a weight sensor in a seat would have been obvious to one of ordinary skill in the art as being old and well known (note Ames' page 2, left col., lines 8 – 10 for example).

As to claims 16 and 17, because Ames teaches display reconfiguration , including sub-profiles in the plurality of profiles and time of the event would have been obvious to one of ordinary skill in the art at the time of the invention as only involving routine skill in the art.

Conclusion

This Application is an RCE. All claims are drawn to the same invention claimed in the earlier application and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the earlier application. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action in this case. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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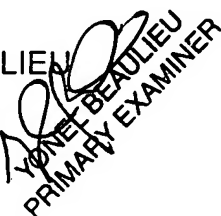
extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no, however, event will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (703) 305-4072. The examiner can normally be reached on M-R, from 0900-1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas BLACK can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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